

United States Bankruptcy Court  
Middle District of Pennsylvania

In re:  
William R. Fletcher  
Debtor

Case No. 18-04165-JJT  
Chapter 13

**CERTIFICATE OF NOTICE**

District/off: 0314-5

User: AGarner  
Form ID: pdf002

Page 1 of 2  
Total Noticed: 27

Date Rcvd: Dec 18, 2018

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Dec 20, 2018.

db +William R. Fletcher, 123 Willows Lane, Lake Ariel, PA 18436-4738  
5115036 +American Express, P.O. Box 981535, El Paso, TX 79998-1535  
5133546 American Express National Bank, c/o Becket and Lee LLP, PO Box 3001,  
Malvern PA 19355-0701  
5115037 +Anthony Scottavia, 123 Willow Lane, Lake Ariel, PA 18436-4738  
5115038 +Broome County Real Property Tax Svc., 60 Hawley St., 2nd Floor, P.O. Box 1766,  
Binghamton, NY 13902-1766  
5115039 +Chase, PO Box 15298, Wilmington DE 19850-5298  
5131981 +County of Broome (New York), Broome County Attorneys Office, PO Box 1766,  
Binghamton, NY 13902-1766  
5136924 Directv, LLC, by American InfoSource as agent, PO Box 5008, Carol Stream, IL 60197-5008  
5115041 +Fantine Rabier, 123 Willow Lane, Lake Ariel, PA 18436-4738  
5115043 +Jerold Summers, 123 Willow Lane, Lake Ariel, PA 18436-4738  
5115044 +Law offices of Tullio DeLuca, 381 N. 9th Avenue, Scranton, PA 18504-2005  
5115045 +Leticia, 123 Willow Lane, Lake Ariel, PA 18436-4738  
5128382 +M&T BANK, PO BOX 1508, BUFFALO, NY 14240-1508  
5118039 +M&T Bank, Stern & Eisenberg, PC, 1581 Main Street, Suite 200, Warrington, Pa. 18976-3403  
5138905 +PPL Electric Utilities, 827 Hausman Road, Allentown, PA 18104-9392  
5125091 +Stern & Eisenberg, PC, 1581 Main Street, Suite 200, Warrington, PA 18976-3403  
5115049 +The CBE Group, P.O. Box 126, Waterloo, IA 50704-0126  
5115051 +Wayne County Tax Claim Bureau, County Courthouse, 925 Court St., Honesdale, PA 18431-1994

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

5115040 E-mail/Text: BNC-ALLIANCE@QUANTUM3GROUP.COM Dec 18 2018 19:26:50 Comenity Bank,  
Bankruptcy Department, P.O. Box 182125, Columbus, OH 43218-2125  
5115042 E-mail/Text: cio.bncmail@irs.gov Dec 18 2018 19:26:39 Internal Revenue Service,  
Special Procedures Branch, PO Box 7346, Philadelphia, PA 19101-7346  
5115046 E-mail/Text: camanagement@mtb.com Dec 18 2018 19:26:45 M&T Bank, 1100 Wehrle Drive,  
Williamsville, NY 14221  
5129430 E-mail/Text: camanagement@mtb.com Dec 18 2018 19:26:45 M&T Bank, PO Box 840,  
Buffalo, NY 14240  
5115047 +E-mail/Text: bankruptcydpt@mcsmcg.com Dec 18 2018 19:27:02 Midland Funding, LLC,  
2365 Northside Drive, Ste. 300, San Diego, CA 92108-2709  
5115519 +E-mail/PDF: PRA\_BK2\_CASE\_UPDATE@portfoliorecovery.com Dec 18 2018 19:34:55  
PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021  
5115048 E-mail/PDF: gecsedirecoverycorp.com Dec 18 2018 19:34:51 Synchrony Bank/Pay Pal,  
Attn: Bankruptcy Dept., P.O. Box 965060, Orlando, FL 32896-5060  
5136479 E-mail/PDF: EBN\_AIS@AMERICANINFOSOURCE.COM Dec 18 2018 19:36:23 Verizon,  
by American InfoSource as agent, PO Box 248838, Oklahoma City, OK 73124-8838  
5115050 +E-mail/Text: wfmelectronicbankruptcynotifications@verizonwireless.com Dec 18 2018 19:26:28  
Verizon Bankruptcy Dept., 500 Technology Drive, Suite 550, Weldon Spring, MO 63304-2225  
TOTAL: 9

\*\*\*\*\* BYPASSED RECIPIENTS (undeliverable, \* duplicate) \*\*\*\*\*

cr\* +M&T Bank, Stern & Eisenberg, PC, 1581 Main Street, Suite 200, Warrington, PA 18976-3403  
cr\* +PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021  
5115052\* +William R. Fletcher, 123 Willows Lane, Lake Ariel, PA 18436-4738

TOTALS: 0, \* 3, ## 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.  
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

**I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.**

**Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.**

Date: Dec 20, 2018

Signature: /s/Joseph Speetjens

**CM/ECF NOTICE OF ELECTRONIC FILING**

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on December 18, 2018 at the address(es) listed below:

Charles J DeHart, III (Trustee) dehartstaff@pamd13trustee.com, TWecf@pamd13trustee.com  
James Warmbrodt on behalf of Creditor M&T Bank bkgroup@kmlawgroup.com  
Martin A Mooney on behalf of Creditor M&T Bank f/k/a Manufactures and Traders Trust Company  
ahight@schillerknapp.com,  
kcollins@schillerknapp.com;tshariff@schillerknapp.com;cmack@schillerknapp.com  
Steven P. Kelly on behalf of Creditor M&T Bank skelly@sterneisenberg.com,  
bkecf@sterneisenberg.com  
Tullio DeLuca on behalf of Debtor 1 William R. Fletcher tullio.deluca@verizon.net  
United States Trustee ustpreion03.ha.ecf@usdoj.gov

TOTAL: 6

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

IN RE:  
WILLIAM R. FLETCHER  
a/k/a William Fletcher

Debtor(s)

CHAPTER 13

CASE NO. 5-18-

☒ ORIGINAL PLAN  
☐ AMENDED PLAN (Indicate 1<sup>ST</sup>, 2<sup>ND</sup>, 3<sup>RD</sup>,  
etc)  
☐ Number of Motions to Avoid Liens  
☐ Number of Motions to Value Collateral

**CHAPTER 13 PLAN**

**NOTICES**

Debtors must check one box on each line to state whether or not the plan includes each of the following items. If an item is checked as "Not Included" or if both boxes are checked or if neither box is checked, the provision will be ineffective if set out later in the Plan.

1	The plan contains nonstandard provisions, set out in §9, which are not included in the standard plan as approved by the U.S. Bankruptcy Court for the Middle District of Pennsylvania.	<input checked="" type="checkbox"/> Included	<input type="checkbox"/> Not Included
2	The plan contains a limit on the amount of a secured claim, set out in §2.E, which may result in a partial payment or no payment at all to the secured creditor.	<input type="checkbox"/> Included	<input checked="" type="checkbox"/> Not Included
3	The plan avoids a judicial lien or nonpossessory, nonpurchase-money security interest, set out in §2.G	<input type="checkbox"/> Included	<input checked="" type="checkbox"/> Not Included

**YOUR RIGHTS WILL BE AFFECTED**

READ THIS PLAN CAREFULLY. If you oppose any provision of this plan, you must file a timely written objection. This plan may be confirmed and become binding on you without further notice or hearing unless a written objection is filed before the deadline stated on the Notice issued in connection with the filing of the Plan.

**1. PLAN FUNDING AND LENGTH OF PLAN.**

**A. Plan Payments From Future Income**

1. To date, the Debtor paid \$0.00 (enter \$0 if no payments have been made to the Trustee to date). Debtor shall pay to the Trustee for the remaining term of the plan the following payments. If applicable, in addition to monthly plan payments, Debtor shall make conduit payments through the Trustee as set forth below. The total base plan is \$14,328.00, plus other payments and property stated in §1B below:

Start mm/yyyy	End mm/yyyy	Plan Payment	Estimated Conduit Payment	Total Monthly Payment	Total Payment Over Plan Tier
09/2018	08/2021	\$398.00	\$0.00	\$398.00	\$14,328.00
				Total Payments:	\$14,328.00

2. If the plan provides for conduit mortgage payments, and the mortgagee notifies the Trustee that a different payment is due, the Trustee shall notify te Debtor and any attorney for the Debtor, in writing, to adjust the conduit payments and the plan funding. Debtor must pay all post-petition mortgage payments that come due before the initiation of conduit mortgage payments.

3. Debtor shall ensure that any wage attachments are adjusted when necessary to conform to the terms of the plan.

4. CHECK ONE:     (X ) Debtor is at or under median income. *If this line is checked, the rest of §1.A.4 need not be completed or reproduced.*

( ) Debtor is over median income. Debtor calculates that a minimum of \$0.00 must be paid to allowed unsecured creditors in order to comply with the Means Test.

**B. Additional Plan Funding From Liquidation of Assets/Other**

1. The Debtor estimates that the liquidation value of this estate is \$892,946.00 (Liquidation value is calculated as the value of all non-exempt assets after the deduction of valid liens and encumbrances and before the deduction of Trustee fees and priority claims.)

*Check one of the following two lines.*

No assets will be liquidated. *If this line is checked, the rest of §1.B need not be completed or reproduced.*

  X   Certain assets will be liquidated as follows:

2. In addition to the above specified plan payments, Debtor shall dedicate to the plan proceeds in the estimated amount of \$ 157,242.00 from the sale of property known and designated as 219 GAF Lake Rd., Windsor, NY. All sales shall be completed by August 31, 2019. If the property does not sell by the date specified, then the disposition of the property shall be as follows:

Debtor shall conduct an auction of the real property on or before March 31, 2020.

3. Other payments from any source(s) (describe specifically) shall be paid to the Trustee as follows: \_\_\_\_\_.

## 2. SECURED CLAIMS.

A. **Pre-Confirmation Distributions.** *Check one.*

  X   None. *If "None" is checked, the rest of §2.A need not be completed or reproduced.*

       Adequate protection and conduit payments in the following amounts will be paid by the Debtor to the Trustee. If the Trustee will disburse these payments for which a proof of claim has been filed as soon as practicable after receipt of said payments from the Debtor.

Name of Creditor	Last Four Digits of Account Number	Estimated Monthly Payment

1. The Trustee will not make a partial payment. If the Debtor makes a partial plan payment, or if it is not paid on time and the Trustee is unable to pay timely a payment due on a claim in this section, the Debtor's cure of this default must include any applicable late charges.
2. If a mortgagee files a notice pursuant to Fed. R. Bankr.P.3002.1(b), the change in the conduit payment to the Trustee will not require modification of this Plan.

B. **Mortgages (Including Claims Secured by Debtor's Principal Residence) and Other Direct Payments by Debtor.** **Check One.**

None. If "None" is checked, the rest of §2.B need not be completed or reproduced.

  X   Payments will be made by the Debtor directly to the creditor according to the original contract terms, and without modification of those terms unless otherwise agreed to by the contracting parties. All liens survive the plan if not avoided or paid in full under the plan.

Name of Creditor	Description of Collateral	Last Four Digits of Account Number
M& T Bank	123 Willow Lane Lake Ariel, PA 18436	1204
M &T Bank	3701 Kirk Road Endwell, NY 13760	

**C. Arrears (Including, but not limited to, claims secured by Debtor's principal residence). Check one.**

       None. If "None" is checked, the rest of §2.C need not be completed or reproduced.

  X   The Trustee shall distribute to each creditor set forth below the amount of arrearages in the allowed proof of claim. If post-petition arrears are not itemized in an allowed claim, they shall be paid in the amount stated below. Unless otherwise ordered, if relief from the automatic stay is granted as to any collateral listed in this section, all payments to the creditor as to that collateral shall cease, and the claim will no longer be provided for under §1322(b)(5) of the Bankruptcy Code.

Name of Creditor	Description of Collateral	Estimated Pre-Petition Arrears to be Cured	Estimated Post-Petition Arrears to be Cured	Estimated Total to be paid in plan
M& T Bank	123 Willow Lane Lake Ariel, PA 18436	\$9,590.00	NA	\$9,590.00

M & T Bank	3701 Kirk Road Endwell, NY 13760	\$7,955.00	N/A	\$7,955.00
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**D. Other secured claims (conduit payments and claims for which a §506 valuation is not applicable, etc.)**

— None. If “None” is checked, the rest of §2.D need not be completed or reproduced.

  X   The claims below are secured claims for which a § 506 valuation is not applicable, and can include: (1) claims that were either (a) incurred within 910 dates of the petition date and secured by a purchase money security interest in a motor vehicle acquired for the personal use of the Debtor, or (b) incurred within 1 year of the petition date and secured by a purchase money security interest in any other thing of value; (2) conduit payments; or (3) secured claims not provided elsewhere.

1. The allowed secured claims listed below shall be paid in full and their liens retained until completion of payments under the plan.
2. In addition to payment of the allowed secured claim, present value interest pursuant to 11 U.S.C. §1325(a)(5)(B)(ii) will be paid at the rate and in the amount listed below, unless an objection is raised. If an objection is raised, then the court will determine the present value interest rate and amount at the confirmation hearing.
3. Unless otherwise ordered, if the claimant notifies the Trustee that the claim was paid, payments on the claim shall cease.

<b>Name of Creditor</b>	<b>Description of Collateral</b>	<b>Principal Balance of Claim</b>	<b>Interest Rate</b>	<b>Total to be Paid in Plan</b>
<b>M&amp; T Bank</b>	<b>218 &amp; 218 ½ Lincoln Ave., Endicott, NY 13760</b>	<b>\$23,552.00</b>	<b>None</b>	<b>\$23,552.00</b>
<b>Broome County Real Property Tax Office</b>	<b>218 &amp; 218 ½ Lincoln Ave., Endicott, NY 13760</b>	<b>\$8,140.92</b>	<b>None</b>	<b>\$8,140.92</b>

<b>Broome County Real Property Tax Office</b>	<b>3701 Kirk Road Endwell, NY 13760</b>	<b>\$7,965.41</b>	<b>None</b>	<b>\$7,965.41</b>
<b>Broome County Real Property Tax Office</b>	<b>219 GAF Lake Rd.,</b>	<b>Per Proof of Claim</b>	<b>None</b>	<b>\$0.00</b>
Wayne County TCB	123 Willow Lane Lake Ariel, PA 18436	\$9,841.68	9% \$1,425.32	\$11,267.00
Internal Revenue Service	123 Willow Lane Lake Ariel, PA 18436	\$23,420.00	4% \$1,472.00	\$24,892.00

**E. Secured claims for which §506 valuation is applicable.** Check one.

  X   None. If “None” is checked, the rest of §2.E need not be completed or reproduced.

       Claims listed in the subsection are debts secured by property not described in §2.D of this plan. These claims will be paid in the plan according to modified terms, and liens retained until entry of discharge. The excess of the creditor’s claim will be treated as an unsecured claim. Any claim listed as “\$0.00” or “NO VALUE” in the “Modified Principal Balance” column below will be treated as an unsecured claim. The liens will be avoided or limited through the plan or Debtor will file an adversary action (select method in last column). To the extent not already determined, the amount, extend or validity of the allowed secured claim for each claim listed below will be determined y he court at the confirmation hearing. Unless otherwise ordered, if the claimant notifies the Trustee tat the claim was paid, payments on the claim shall cease.

<b>Name of Creditor</b>	<b>Description of Collateral</b>	<b>Value of Collateral (Modified Principal)</b>	<b>Interest Rate</b>	<b>Total Payment</b>	<b>Plan or Adversary Action</b>

**F. Surrender of Collateral.** Check one.

  X   None. If “None” is checked, the rest of §2.F need not be completed or



reproduced.

— The Debtor elects to surrender to each creditor listed below the collateral that secures the creditor's claim. The Debtor requests that upon confirmation of this plan the stay under 11 U.S.C. §362(a) be terminated as to the collateral only and that the stay under §1301 be terminated in all respects. Any allowed unsecured claim resulting from the disposition of the collateral will be treated in Part 4 below.

Name of Creditor	Description of Collateral to be Surrendered

**G. Lien Avoidance.** Do not use for mortgages or for statutory liens, such as tax liens. Check one.

  X   None. If "None" is checked, the rest of §2.G need not be completed or reproduced.

— The Debtor moves to avoid the following judicial and/or nonpossessory, non-purchase money liens of the following creditors pursuant to §522(f) (this § should not be used for statutory or consensual liens such as mortgages).

The name of the holder of lien.		
A description of the lien. For a judicial lien, include court and docket number.		
A description of the liened property.		
The value of the liened property		
The sum of senior liens		
The value of any exemption claimed.		
The amount of the lien.		

The amount of lien voided.		
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**3. PRIORITY CLAIMS.**

**A. Administrative Claims**

1. Trustee's Fees. Percentage fees payable to the Trustee will be paid at the rate fixed by the United States Trustee.
2. Attorney's Fees. Complete only one of the following options:
  - a. In addition to the retainer of \$1,000.00 already paid by the Debtor, the amount of \$3,000.00 in the plan. This represents the unpaid balance of the presumptively reasonable fee specified in L.B.R. 2016-2( c); or
  - b. \$\_\_\_\_\_ per hour, with the hourly rate to be adjusted in accordance with the terms of the written fee agreement between the Debtor and the attorney. Payment of such lodestar compensation shall require a separate fee application with the compensation approved by the Court pursuant to L.B.R. 2016-2(b).
3. Other. Other administrative claims not included in §§ 3.A.1 or 3.A.2 above. Check one of the following two lines.
 

  X   None. If "None" is checked, the rest of § 3.A.3 need not be completed or reproduced.

       The following administrative claims will be paid in full.

Name of Creditor	Estimated Total Payment

**B. Priority Claims (including, but not limited to, Domestic Support Obligations other than those treated in § 3.C below).** Check one of the following two lines.

- X   None. If "None" is checked, the rest of § 3.B need not be completed or reproduced.
- Allowed unsecured claims, including domestic support obligations, entitled to priority under § 1322(a) will be paid in full unless modified under §9.

Name of Creditor	Estimated Total Payment

**C. Domestic Support Obligations assigned to or owed to a governmental unit under 11 U.S.C. §506 (a)(1)(B).** Check one of the following two lines.

  X   None. If “None” is checked, the rest of § 3.C need not be completed or reproduced.

       The allowed priority claims listed below are based on a domestic support obligation that has been assigned to or is owed to a governmental unit and will be paid less than the full amount of the claim. This plan provision requires that payments in § 1.A. be for a term of 60 months (see 11 U.S.C. § 1322 (a)(4)).

Name of Creditor	Estimated Total Payment

**4. UNSECURED CLAIMS**

**A. Claims of Unsecured Nonpriority Creditors Specially Classified.** Check one of the following two lines.

  X   None. If “None” is checked, the rest of § 4.A need not be completed or reproduced.

       To the extent that funds are available, the allowed amount of the following unsecured claims, such as co-signed unsecured debts, will be paid before other, unclassified, unsecured claims. The claim shall be paid interest at the rate stated below. If no rate is stated, the interest rate set forth in the proof of claim shall apply.

Name of Creditor	Reason for Special Classification	Estimated Amount of Claim	Interest Rate	Estimated Total Payment

**B. Remaining allowed unsecured claims will receive a pro-rata distribution of**

**funds remaining after payment of other classes.**

**5. EXECUTORY CONTRACTS AND UNEXPIRED LEASES. Check one of the following two lines.**

       None. If "None" is checked, the rest of § 5 need not be completed or reproduced.

  X   The following contracts and leases are assumed (and arrears in the allowed claim to be cured in the plan) or rejected:

<b>Name of Other Party</b>	<b>Description of Contract or Lease</b>	<b>Monthly Payment</b>	<b>Interest Rate</b>	<b>Estimated Arrears</b>	<b>Total Plan Payment</b>	<b>Assume or Reject</b>
Anthony	rental lease	\$400.00	None	None	None	Assume
Francine Rabeen	rental lease	\$750.00	None	None	None	Assume
Jerold Summers	rental lease	\$400.00	None	None	None	Assume
Leticia	rental lease	\$400.00	None	None	None	Assume

**6. VESTING OF PROPERTY OF THE ESTATE.**

**Property of the estate will vest in the Debtor upon**

Check the applicable line:

       plan confirmation.

       entry of discharge.

  X   closing of case.

**7. DISCHARGE: (Check one)**

(X) The debtor will seek a discharge pursuant to § 1328(a).

( ) The debtor is not eligible for a discharge because the debtor has previously received a discharge described in § 1328(f).

**8. ORDER OF DISTRIBUTION:**

If a pre-petition creditor files a secured, priority or specially classified claim after the bar date,

the Trustee will treat the claim as allowed, subject to an objection by the Debtor.

Payments from the plan will be made by the Trustee in the following order:

Level 1:	<u>Adequate Protection Payments</u>
Level 2:	<u>Debtor's Attorney Fees</u>
Level 3:	<u>Domestic Support Obligations</u>
Level 4:	<u>Secured Claims, Pro Rata</u>
Level 5:	<u>Priority Claims, pro rata</u>
Level 6:	<u>Specially classified unsecured claims</u>
Level 7:	<u>Timely filed general unsecured claims</u>
Level 8:	<u>Untimely filed general unsecured claims to which Debtor has not objected</u>

If the above Levels are filled in, the rest of § 8 need not be completed or reproduced. If the above Levels are not filled-in, then the order of distribution of plan payments will be determined by the Trustee using the following as a guide:

Level 1:	Adequate protection payments.
Level 2:	Debtor's attorney's fees.
Level 3:	Domestic Support Obligations.
Level 4:	Priority claims, pro rata.
Level 5:	Secured claims, pro rata.
Level 6:	Specially classified unsecured claims.
Level 7:	Timely filed general unsecured claims.
Level 8:	Untimely filed general unsecured claims to which the Debtor has not objected.

## **9. NONSTANDARD PLAN PROVISIONS**

**Include the additional provisions below or on an attachment. Any nonstandard provision placed elsewhere in the plan is void. (NOTE: The plan and any attachment must be filed as one document, not as a plan and exhibit.)**

**The following is a summary of the creditors and amounts to be paid by the Trustee pursuant to this Plan:**

**The following is a summary of the creditors and amounts to be paid by the Trustee pursuant to this Plan:**

Chapter 13 Trustee	\$ 12,000.00(est.)
Tullio DeLuca, Esq.,	\$ 3,000.00
M&T Bank - 123 Willow Lane	\$ 9,590.00 (arrears)
M&T Bank-3701 Kirk Rd.,	\$ 7,955.00 (arrears)
M& T Bank- 218&2181/2 Lincoln Ave.,	\$ 23,552.00 (allowed secured claim)
Broome County Real Property Tax	\$ 8,140.92 (allowed secured claim 218&2181/2 )
Broome County Real Property Tax	\$ 7,965.41 (allowed secured claim 3701 Kirk Rd.)
Wayne County Tax Claim Bur.,	\$ 11,267.00 (allowed secured claim 123 Willow Ln)
Internal Revenue Service	\$ 24,892.00 (allowed secured claim 123 Willow Ln)

Unsecured Creditors - 100%	\$ 63,207.00
Total:	\$ 171,570.00

**The Chapter 13 Trustee payment shall be made to the following address:**

**CHARLES J. DEHART, III, ESQ.  
P.O. BOX 7005  
LANCASTER, PA 17604**

\*Net sale proceeds shall be paid first to unsecured creditors and then paid to the remaining creditors.

Dated: October 1, 2018

/s/Tullio DeLuca  
Attorney for Debtor

/s/William R. Fletcher  
Debtor